



PRESS RELEASE

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THE WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH) OFFERS TO EXPLORE ALTERNATIVE CAPE WIND SITES

The Wampanoag Tribe of Gay Head (Aquinnah) remains hopeful that Secretary Salazar will deny approval of the Cape Wind Project, despite rumors to the contrary. "We will continue to offer our cooperation to the Department of the Interior and Minerals Management Service (MMS) in an effort to move forward with an expedited process for reviews of alternative locations for the Cape Wind project" stated Chairwoman Cheryl Andrews-Maltais and Tribal Historic Preservation Officer Bettina Washington. The Tribe is on record that it supports renewable energy projects.

However, the proposed site for the project at Horseshoe Shoal is a sacred Wampanoag site. On April 2, 2010, the Advisory Council on Historic Preservation (ACHP) recommended a denial of the project based on its "indirect and direct effects...on the collection of historic properties... [which] would be pervasive, destructive, and, in the instance of seabed construction, permanent."

The Tribe retained Attorney Samantha Greendeer of Whyte, Hirschboeck Dudek S.C., who is experienced in tribal historic preservation efforts to fully prepare for administrative and judicial relief should the project move forward. The Tribe identified over 14 legal shortcomings by MMS under the National Historic Preservation Act alone. In addition, the Tribe may, depending on the direction of the project, assert claims under the Administrative Procedures Act, the National Environmental Policy Act, the American Indian Religious Freedom Act, the Native American Grave Protection and Repatriation Act, the Archaeological Resources Protection Act, the Archeological and Historic Preservation Act, and the Endangered Species Act as well as the Marine Mammals Protection Act.

The tribe's decision to pursue legal recourse is not only to protect their own Sacred Sites and rights under Federal Laws, but would directly help avoid future devastation to tribal historic sites throughout Indian Country. "We view the Interior's actions regarding the project to be the litmus test for the promises made by President Obama to Tribes – to respect and honor the government-to-government relationship between the Federal Government and the First Nations of these lands," Chairwoman Andrews-Maltais stated. In November 2009, the President declared that his administration would fulfill its trust responsibility to Indian Country.

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The ACHP recommendation inherently concludes that the project must avoid Horseshoe Shoal. Therefore, the Tribe has not ruled out its option to enter into an inter-governmental agreement to help this administration properly site an alternative location for the project that would not adversely affect historic properties. The Tribe remains hopeful that Secretary Salazar is sincere in his promise to bring this issue to closure and that he will do everything that he can to honor the President's commitment to Indian Country while fulfilling the administration's goal of responsibly developing renewable energy for our country.

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If you have any questions regarding this press release, please contact Chairwoman Cheryl Andrews-Maltas at the Wampanoag Tribe of Gay Head (Aquinnah) Administration Office at (508) 645-9265, ext. 111 or via email at chairwoman@wampanoagtribe.net